

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MONIK JOHNSON,</b>	:	<b>Civil No. 1:23-CV-17</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>YORK ACADEMY REGIONAL CHARTER SCHOOL,</b>	:	<b>(Magistrate Judge Carlson)</b>
	:	
<b>Defendant.</b>	:	

**MEMORANDUM AND ORDER**

The background of this order is as follows:

The plaintiff commenced this action by a complaint. (Doc. 1.) The defendant then filed a motion to dismiss the complaint. (Doc. 7.) The plaintiff has now filed an amended complaint. (Doc. 11.) Rule 15(a) of the Federal Rules of Civil Procedure, which governs amendment of pleadings strongly favors amendment of pleadings, permits one amendment as a matter of course, and otherwise provides that such leave to amend should be liberally granted “when justice so requires.” Fed. R. Civ. P. 15(a)(2).

Accordingly, IT IS ORDERED as follows:

1. The plaintiff’s amended complaint, (Doc. 11), will be lodged by the clerk as the amended complaint in this matter.

2. We believe that this development has substantive significance for the parties with respect to the pending motion to dismiss the original complaint filed in this case since, as a matter of law, an amended complaint takes the place of the original complaint, effectively invalidating the original complaint. Crysen/Montenay Energy Co. v. Shell Oil Co. (In re Crysen/Montenay Energy Co.), 226 F.3d 160, 162 (2d Cir. 2000) ("[A]n amended pleading ordinarily supersedes the original and renders it of no legal effect"); see 6 Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, Federal Practice & Procedure § 1476 (2d ed. 1990) ("A pleading that has been amended ... supersedes the pleading it modifies.... Once an amended pleading is interposed, the original pleading no longer performs any function in the case..."). Therefore, since the initial complaint is now a legal nullity the defendant's motion to dismiss that initial complaint, (Doc. 7), is DISMISSED as moot.

3. However, this order is entered without prejudice to the assertion of any defenses or dispositive motions that the defendant may believe are appropriate with respect to the amended complaint.

SO ORDERED, this 6<sup>th</sup> day of April 2023.

/s/ Martin C. Carlson  
Martin C. Carlson  
United States Magistrate Judge